

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AMERICAN HOSPITAL ASSOCIATION, ET  
AL.,

Plaintiffs,

v.

DEPARTMENT OF HEALTH & HUMAN  
SERVICES, ET AL.,

Defendants.

Case No. 4:20-cv-08806-YGR

**ORDER TO SHOW CAUSE RE: DISMISSAL  
FOR LACK OF SUBJECT-MATTER  
JURISDICTION**

Re: Dkt. No. 64

**TO PLAINTIFFS AMERICAN HOSPITAL ASSOCIATION, 340B HEALTH, AMERICA'S  
ESSENTIAL HOSPITALS, ASSOCIATION OF AMERICAN MEDICAL COLLEGES, THE CHILDREN'S  
HOSPITAL ASSOCIATION, AMERICAN SOCIETY OF HEALTH-SYSTEM PHARMACISTS, AVERA ST.  
MARY'S HOSPITAL, RIVERSIDE REGIONAL MEDICAL CENTER, ST. MARY'S MEDICAL CENTER  
AND THEIR COUNSEL OF RECORD:**

**YOU ARE HEREBY ORDERED TO SHOW CAUSE** in writing why this case should not be  
dismissed for lack of subject-matter jurisdiction. (*See* Dkt. No. 64.) A response to this Order to  
Show Cause and the pending motion to dismiss (Dkt. No. 64) shall be filed **on or before Monday,  
January 25, 2021**. Defendants Department of Health and Human Services and Secretary Alex M.  
Azar II may file a reply **on or before Monday February 1, 2021**. The Court **SETS** oral argument  
on this Order to Show Cause and defendants' motion to dismiss for **Tuesday, February 9, 2021** at  
**2:00 PM PST** via the Zoom platform. All other briefing schedules and dates remain in place.

**IT IS SO ORDERED.**

Dated: January 13, 2021

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE